

REMARKS

Claims 27, 31, 34-41, 45, 54-56, and 59-70 are pending, in which claims 27, 31, 34-39, 41, 45, 54, 55, and 59-70 are currently amended. No new matter is introduced.

The Office Action mailed August 13, 2010 (A) objected to the specification as failing to provide sufficient antecedent basis for the claimed subject matter; (B) rejected claims 27, 31, 34-41, 45, 54-56 and 59-70 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement; (C) rejected claims 27, 34 and 41 as obvious under 35 U.S.C. §103(a) based on *Nielsen* (US Pub. No. 2002/0180582) in view of *White* (US Patent No. 6,049,877), and further in view of *Hase* (US Pub. No. 2002/0183078); (D) rejected claims 31, 38 and 45 as obvious under 35 U.S.C. §103(a) based on *Nielsen* in view of *White* and *Hase*, and further in view of *Component X Studio Tutorial* ("Lesson 5: SOAP, UDDI and WSDL"); (E) rejected claims 35, 59 and 65 as obvious under 35 U.S.C. §103(a) based on *Nielsen* in view of *White* and *Hase*, and further in view of *Understanding Universal Plug and Play*; (F) rejected claims 36, 60 and 66 as obvious under 35 U.S.C. §103(a) based on *Nielsen* in view of *White* and *Hase*, and further in view of *Understanding Universal Plug and Play* and *Urien* (US Pub. No. 2002/0124092); (G) rejected claims 37, 61 and 67 as obvious under 35 U.S.C. §103(a) based on *Nielsen* in view of *White* and *Hase*, and further in view of *Khan et al.* (US Pub. No. 2003/0115474); (H) rejected claims 39, 40, 62, and 68 as obvious under 35 U.S.C. §103(a) based on *Nielsen* in view of *White* and *Hase*, and further in view of *Marchand* (WO 0176154); (I) rejected claims 54, 56, 63, and 69 as obvious under 35 U.S.C. §103(a) based on *Nielsen* in view of *White* and *Hase*, and further in view of *Huang* ("Persuasive Computing: What Is It Good For?"); and (J) rejected claims 55, 64, and 70 as obvious under 35 U.S.C. §103(a) based on

Nielsen in view of *White and Hase*, and further in view of *Carcerano et al.* (US Patent No. 6,308,205). The objection and rejections are respectfully traversed.

A. Objection to the Specification

The Office Action objected to specification for allegedly lacking sufficient antecedent basis for certain claimed features. Applicants respectfully disagree.

An applicant need not utilize any particular form of disclosure to describe the subject matter claimed; the description need only allow persons of ordinary skill in the art to recognize that he or she invented what is claimed. *Carnegie Mellon Univ. v. Hoffmann-La Roche Inc.*, 541 F.3d 1115, 1122 (Fed.Cir.2008) (quoting *In re Alton*, 76 F.3d 1168, 1172 (Fed.Cir.1996)).

With respect to the features of claims 27, 34, and 41, support for the objected features can be found in, at least, paragraphs [0049], [0052] and [0053] of the published disclosure of the instant application, which would have reasonably conveyed to one having ordinary skill in the art that Applicants had possession of the claimed features.

With respect to the features of claims 35, 59, and 65, support for the objected features can be found in, at least, paragraphs [0072] and [0076] of the published disclosure of the instant application, which would have reasonably conveyed to one having ordinary skill in the art that Applicants had possession of the claimed features.

With respect to the features of claims 36, 60, and 66, support for the objected features can be found in, at least, paragraphs [0072] and [0073] of the published disclosure of the instant application, which would have reasonably conveyed to one having ordinary skill in the art that Applicants had possession of the claimed features.

With respect to the features of claims 37, 61, and 67, support for the objected features can be found in, at least, paragraphs [0058], [0059] and [0061] of the published disclosure of the instant application, which would have reasonably conveyed to one having ordinary skill in the art that Applicants had possession of the claimed features.

With respect to the features of claims 39, 40, 62, and 68, support for the objected features can be found in, at least, paragraph [0091] of the published disclosure of the instant application, which would have reasonably conveyed to one having ordinary skill in the art that Applicants had possession of the claimed features.

With respect to the features of claims 54, 56, 63, and 69, support for the objected features can be found in, at least, paragraphs [0050] and [0054] of the published disclosure of the instant application, which would have reasonably conveyed to one having ordinary skill in the art that Applicants had possession of the claimed features.

Accordingly, Applicants respectfully request withdrawal of the objection.

B. 35 U.S.C. §112, First Paragraph, Rejection of Claims 27, 31, 34-41, 45, 54-56 and 59-70

The Office Action alleged that certain features of claims 27, 31, 34-41, 45, 54-56 and 59-70 fail to comply with the written description requirement. Applicants respectfully disagree.

With respect to claims 27, 34 and 41, Applicants respectfully submit that the recited features are clearly supported in, at least, paragraphs [0049], [0052] and [0053] of the published disclosure of the instant application. Paragraph [0078] of the published disclosure of the instant application, which the Office Action cites as disclosing inconsistent features with that of the claimed features, in pertinent part, discloses (emphasis added):

If the information requested is locally accessible via, for example, server directory 708, then the information is accessed from server directory 708 and the request is fulfilled with the data acquired from server directory 708. **If, on the other hand, the requested data is to be accessed from remote devices 714-720, then CGI 710 is required to provide the gateway to these devices.**

Paragraph [0078] of the published disclosure clearly discloses and supports the features of paragraphs [0049], [0052], and [0053].

With respect to claims 35, 59, and 65, Applicants respectfully submit that the recited features are clearly supported in, at least, paragraphs [0072] and [0076].

With respect to claims 36, 60, and 66, Applicants respectfully submit that the recited features are clearly supported in, at least, paragraphs [0072] and [0073].

With respect to claims 37, 61, and 67, Applicants respectfully submit that the recited features are clearly supported in, at least, paragraphs [0058], [0059, and [0076].

With respect to claims 39, 40, 62, and 68, Applicants respectfully submit that the recited features are clearly supported in, at least, paragraph [0091].

With respect to claims 54, 56, 63, and 69, Applicants respectfully submit that the recited features are clearly supported in, at least, paragraphs [0050] and [0054].

Accordingly, Applicants respectfully request withdrawal of the rejection.

C. 35 U.S.C. §103(a) Rejection of Claims 27, 34 and 41

With respect to independent claims 27, 34 and 41, Applicants respectfully submit that *Nielsen, White, and Hase*, taken individually or in combination, fail to disclose or render obvious all of the positively recited features of claims 27, 34 and 41. For example, *Nielsen, White* and *Hase* fail to disclose or render obvious “determine whether an information request includes a reference to a common gateway interface” and “determine to make security credentials of a user

of the mobile terminal accessible for a targeted one of the connected proximate devices via the common gateway interface for verifying user security access,” as recited in independent claim 27, and as similarly recited in independent claims 34 and 41.

The initial burden of establishing a *prima facie* basis to deny patentability to a claimed invention under any statutory provision always rests upon the Examiner. *In re Mayne*, 104 F.3d 1339, 41 USPQ2d 1451 (Fed. Cir. 1997); *In re Deuel*, 51 F.3d 1552, 34 USPQ2d 1210 (Fed. Cir. 1995); *In re Bell*, 991 F.2d 781, 26 USPQ2d 1529 (Fed. Cir. 1993); *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In rejecting a claim under 35 U.S.C. § 103, the Examiner is required to provide a factual basis to support the obviousness conclusion. *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967); *In re Lunsford*, 357 F.2d 385, 148 USPQ 721 (CCPA 1966); *In re Freed*, 425 F.2d 785, 165 USPQ 570 (CCPA 1970).

Obviousness rejections require some evidence in the prior art of a teaching, motivation, or suggestion to combine and modify the prior art references. See, e.g., *McGinley v. Franklin Sports, Inc.*, 262 F.3d 1339, 1351-52, 60 USPQ2d 1001, 1008 (Fed. Cir. 2001); *Brown & Williamson Tobacco Corp. v. Philip Morris Inc.*, 229 F.3d 1120, 1124-25, 56 USPQ2d 1456, 1459 (Fed. Cir. 2000); *In re Dembiczak*, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999).

The Patent Office must give specific reasons why one of ordinary skill in the art would have been motivated to combine the references. See, e.g., *In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Rouffet*, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998).

Nowhere in the entire disclosure of *Nielsen* is there any disclosure of determining whether a request, much less an information request, includes a reference to a common gateway

interface. The Office Action, on page 9, acknowledges that *Nielsen* fails to disclose a common gateway interface. However, the Office Action, citing col. 1, lines 50-53 of *White*, alleges that *White* remedies this deficiency. Applicants respectfully disagree and respectfully submit that it would not have been obvious to one having ordinary skill in the art to modify the system of *Nielsen* by including the alleged features of *White* to result in the recited features of independent claims 27, 34, and 41.

For example, the relied upon portion of *White* (col. 1, lines 50-53) merely discloses that common gateway interface applications “are typically stored within a secure directory tree of a web server and access to the directory is controlled for security reasons.” Applicants respectfully submit that the mere discussion of stored common gateway interface applications within a secure directory tree, “for security reasons,” provides no reason for why one of ordinary skill in the art would have been motivated to combine *Nielsen* and *White*. Furthermore, *White* also fails to disclose or render obvious determining whether an information request includes a reference to a common gateway interface. In addition, *Hase* fail to remedy the above deficiencies of *Nielsen* and *White*.

Therefore independent claims 27, 34, and 41 are patentable over *Nielsen*, *White*, and *Hase*. Accordingly, Applicants respectfully request withdrawal of the rejection.

D-J. 35 U.S.C. §103(a) Rejections of claims 31, 35-40, 45, 54-56, and 59-70

With respect to the 35 U.S.C. § 103(a) rejections of dependent claims 31, 35-40, 45, 54-56, and 59-70, *Component X Studio Tutorial*, *Understanding Universal Plug and Play*, *Urien*, *Khan et al.*, *Marchand*, *Huang*, and *Carcerano et al.* do not remedy the above deficiencies of *Nielsen*, *White*, and *Hase*, set forth above with respect to independent claims 27, 34, and 41.

Therefore, claims 31, 35-40, 45, 54-56, and 59-70 also are patentable, for at least the reasons independent claims 27, 34, and 41 are patentable, as well as for the additional features these claims recite. Accordingly, Applicants respectfully request withdrawal of the rejections.

Therefore, the present application, as amended, overcomes the objection and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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Date

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